

IN THE UNITED STATES DISTRICT  
COURT FOR THE EASTERN DISTRICT OF  
TEXAS MARSHALL DIVISION

MAURINE F. PARKER, #02212994

§

VS.

§

CIVIL ACTION NO. 2:22-cv-00029-JRG-RSP

DIRECTOR, TDCJ-CID

§

**ORDER OF DISMISSAL**

Petitioner Maurine Parker, a prisoner confined at the Crain Unit within the Texas Department of Criminal Justice (TDCJ), proceeding *pro se*, filed this habeas action. The case was referred to United States Magistrate Judge Roy S. Payne for findings of fact, conclusions of law, and recommendations for the disposition of the case.

On November 13, 2023, Judge Payne issued a Report, (Dkt. #30), recommending that Petitioner's petition be dismissed, without prejudice, for Petitioner's failure to comply with an order of the Court. A copy of this Report was sent to Petitioner at her last-known address. To date, however, Petitioner neither filed objections to the Report nor communicated with the Court since prior to the issuance of the Report.

Because objections to Judge Payne's Report have not been filed, Petitioner is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See*


*United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (holding that where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is

**ORDERED** that the Report of the United States Magistrate Judge, (Dkt. #30), is **ADOPTED** as the opinion of the Court. Further, it is

**ORDERED** that the above-styled habeas action is **DISMISSED**, without prejudice, for Petitioner's failure to comply with an order of the Court. Petitioner is further **DENIED** a certificate of appealability *sua sponte*, which refers to this cause number and does not prevent refiling. Finally, it is

**ORDERED** that any and all motions which may be pending in this civil action are hereby **DENIED**.

**So ORDERED and SIGNED this 1st day of March, 2024.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE